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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION**

ROBERTA NUESTRO LAUSER,)	2:20-CV-02122-CKD
)	
Plaintiff,)	
)	STIPULATION & ORDER TO REMAND
vs.)	PURSUANT TO SENTENCE FOUR OF 42
KILOLO KIJAKAZI,)	U.S.C. § 405(g)
Acting Commissioner of Social Security,)	
)	
Defendant.)	
)	

IT IS HEREBY STIPULATED, by and between the parties, through their undersigned attorneys, and with the approval of the Court, that the Acting Commissioner of Social Security (Commissioner) has agreed to a voluntary remand of this case for further administrative proceedings, pursuant to *sentence four* of 42 U.S.C. § 405(g).

On remand, the Appeals Council will remand the case for assignment to a different administrative law judge (ALJ) for further development of the record and a new decision. The Appeals Council will instruct the Administrative Law Judge (ALJ) to obtain evidence from a medical expert regarding the claimant's established onset date for disability to assist the ALJ in determining whether the claimant was disabled prior to her date last insured of September 30,

2008, pursuant to Social Security Ruling 18-1p, and consider the impact of the claimant's fibromyalgia consistent with SSR 12-2. The Appeals Council will instruct the ALJ to give claimant an opportunity to provide additional evidence and testimony at a hearing before issuing a new decision.

The parties further request that the Clerk of the Court be directed to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

Dated: December 27, 2021

Respectfully submitted,

Law Offices of Patricia L. McCabe

/s/ Patricia L. McCabe*

*As authorized via email on December 9, 2021

Patricia L. McCabe

Attorney for Plaintiff

Dated: December 27, 2021

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By: /s/ Jennifer J. Selby

JENNIFER J. SELBY

Special Assistant United States Attorney

ORDER

APPROVED AND SO ORDERED:

Dated: January 3, 2022



CAROLYN K. DELANEY

UNITED STATES MAGISTRATE JUDGE